

**REMARKS**

The application has been reviewed in light of the Office Action dated September 23, 2008. Claims 8, 9, 13, 14, 17, 19-21, 30, 31, 35, 36, 39, 41-43, 52, 53, 57, 58, 61, 63-65 and 82-108 were pending, with claims 1-7, 10-12, 15, 16, 18, 22-29, 32-34, 37, 38, 40, 44-51, 54-56, 59, 60, 62 and 66-81 having previously been canceled, without prejudice or disclaimer. By this Amendment, new claim 109 has been added. Accordingly, claims 8, 9, 13, 14, 17, 19-21, 30, 31, 35, 36, 39, 41-43, 52, 53, 57, 58, 61, 63-65 and 82-109 would be pending upon entry of this amendment, with claims 8, 9, 13, 14, 17, 21, 30, 31, 35, 36, 39, 43, 52, 53, 57, 58, 61, 65, 82, 84-87, 89, 90, 92-95, 97, 98, 100-103 and 105 being in independent form.

Claims 82, 84, 90, 92, 98 and 100 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over U.S. Patent No. 6,940,615 (Shima '615) in view of U.S. Patent No. 6,529,286 to King. Claims 8, 9, 30, 31, 52, 53, and 107 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of King and further in view of U.S. Patent No. 5,552,901 to Kikuchi et al. Claims 13, 14, 35, 36, 57 and 58 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of King and further in view of U.S. Patent No. 6,816,911 (Toyoda '911) and Kikuchi. Claims 17, 20, 39, 42, 61 and 64 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of King and further in view of U.S. Patent No. 6,493,103 (Toyoda '103). Claims 21, 43 and 65 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of King and further in view of U.S. Patent No. 6,333,789 (Shima '789) and Kikuchi. Claims 19, 41 and 63 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of King and Kikuchi and further in view of U.S. Patent No. 5,818,609 to Yamamuro. Claims 85, 86, 93, 94, 101 and 102 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over

Shima '615 in view of King and further in view of Toyoda '911. Claims 87, 88, 95, 96, 103 and 104 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of King and further in view of Toyoda '103. Claims 89, 97 and 105 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of King and further in view of Shima '789. Claims 83, 91 and 99 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of King and further in view of Yamamuro. Claim 106 was rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of King and Kikuchi and further in view of U.S. Patent No. 6,801,341 to Joffe et al. Claim 108 was rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of King and Kikuchi and further in view of Toyoda '911.

Applicant respectfully submits that the present application is allowable over the cited art, for at least the reason that the cited art does not disclose or suggest the aspect of the present application of notifying the *sending communications machine* of the communications capability of the *transfer communications machine* at a ***beginning of communications of image information*** between the *sending communications machine* and the *communications terminal apparatus*, and transferring said image information received from said sending communications machine to said transfer communications machine.

Shima '615, as understood by applicant, proposes a high-function printer that examines the performance attributes of the downstream low-function printers and stores performance attributes information. The printer notifies the performance attributes information of the overall printer group to a host provided on the network. A printer driver provided in the host, on a basis of the thus-notified performance attributes information, prepares and displays a user interface screen. Upon receipt of the print job data from the host, the high-function printer selects a printer

suitable for processing the job from the printer group and transfers the job data to the thus-selected printer.

Shima '615, as acknowledged in the Office Action, does not disclose or suggest the aspect of the present application of notifying the *sending communications machine* of the communications capability of the *transfer communications machine* at a ***beginning of communications of image information*** between the *sending communications machine* and the *communications terminal apparatus*, and transferring said image information received from said sending communications machine to said transfer communications machine.

Instead, in the approach proposed in Shima '615, the host system specifically requests that the network-compatible printer provide performance attributes of the printer group, well in advance of communication of image information.

It is contended in the Office Action that King proposes notifying the sending communications machine of the communications capability of the transfer communications machine ***at a beginning of communications*** of image information between said sending communications machine and the communications terminal apparatus.

Applicant respectfully traverses such contention in the Office Action.

King, as understood by Applicant, proposes a dynamically shared printing interface (DDSPI) in a computer network wherein print jobs are routed to printers in a user defined preferred printer list (PPL) based upon a printer's capability to print a certain job when the print job is requested. In the networked environment of King, computer clients 301, 302, and 303 are connected via a Local Area Network (LAN) to printers 304-308 and to network server 309 (on which stores a DDSPI and a user defined PPL). The DDSPI calculates an estimated workload to print a print job, queries network printer's for printer capability information, compares printer

capability information with the estimated workload and routes the print job to the best available printer for the print job. The user defined PPL consists of a list of printers where a user prefers to have print jobs printed.

As show in Figure 4, the process flow proposed in King is as follows. The user of client machine 301 selects printers (e.g. Printers 305, 306, 307) to form a preferred printer list (step S401). The client machine 301 sends a print job to the DDSPI, which is located on the network server 309 (step S402). The DDSPI calculates estimated workload to print the job, and sends a multi-cast to printers in the PPL requesting printer capability information (steps S403-S404). Each printer in the PPL calculates their own capability information, and transmits the information back to the DDSPI located on network server 309 (steps S405-S407). The DDSPI compares printer capability information with estimated workload, selects printer with the best capability, and sends the print job to the selected printer (steps S408-S410). DDSPI, located on network server 309, sends notification to client machine 301 of the printer to which the job is routed (step S411).

Thus, in the approach proposed in King, the client machine 301 transmits image information to the DDPSI on network server 309, which in turn transfers the image information to the printers 305-307.

However, it is clear that King does not propose that the DDSPI *transmits printer capability information to the client machine 301* at any time, whether before or after any communications of image information. The only information that the DDSPI transmits to the client machine 301 is a notification of which printer has been chosen for the print job (S411). One skilled in the art would not understand this to mean that the DDSPI is sending any printer capability information to the client machine 301 that initiated the print job.

It is contended on page 6 of the Office Action as follows:

King '286 discloses wherein notifying communications capability is at a beginning of communications of image information (column 4, lines 40-41; column 5, lines 26-45; column 6, lines 1-31; In step s402 print job is submitted which is beginning of communications of image information; In step s405-s407, the DDSPI 23 unit receives the printer capability information from all the printers in the list. The DDSPI 23 is notified of the capability information at step s407).

Applicant respectfully traverses such contention in the Office Action.

In step S402 of King, communications of image information from the client machine 301 (apparently equated in the Office Action to a sending communications machine) to the DDSPI on network server 309 (apparently equated in the Office Action to a transfer communications machine) is commenced by the user sending a print job from client computer 301, and in steps S405-S407, the DDSPI receives printer capability information **from the printers**.

In contrast, in the above-mentioned aspect of the present application, the communications terminal apparatus notifies the sending communications machine of the communications capability in accordance with the communications capability of the transfer communications machine.

While the DDSPI of King clearly receives the printer capability information from the printers, King does NOT disclose or suggest notifying the client computer of the communications capability of the transfer communications machine at a beginning of communications of image information between the sending communications machine and the communications terminal apparatus. King simply does not disclose or suggest the above-mentioned aspect of the present application.

In addition, applicant respectfully submits that Shima '615 ***teaches away*** from notifying communications capability at a beginning of communications of image information.

Shima '615 goes to great lengths to provide printer capability information to the host user interface, in advance of any transmission of image information. For example, Shima '615 (for example, via figure 17 and column 26, lines 4-67) describes in detail how the performance attributes of all the printers are obtained first, and then entered into a user interface screen so that the user can set desired values for each printer, such as preferred resolution and color. The thus-selected values are stored for future use as a specified printer attribute. When a print job is later initiated, the already stored attributes and document data can be interpreted to find the optimum printer.

Thus, Shima '615 teaches having these printer capabilities known by the host at the very beginning of the process. This naturally teaches away from notifying a sending communications machine of the communications capability of a transfer communications machine *at a beginning of communications of image information*, as in the above-mentioned aspect of the present application.

Likewise, the other cited references, as understood by Applicant, do not propose the above-mentioned aspect of the present application. The other cited references have been discussed previously in the record, and such discussion are incorporated herein.

Applicant respectfully submits that the cited art, even when considered along with common sense and common knowledge to one skilled in the art, does not render unpatentable the above-mentioned aspect of the present application.

Accordingly, applicant submits that independent claims 8, 9, 13, 14, 17, 21, 30, 31, 35, 36, 39, 43, 52, 53, 57, 58, 61, 65, 82, 84-87, 89, 90, 92-95, 97, 98, 100-103 and 105, and the claims depending therefrom, are allowable over the cited art.

In view of the remarks hereinabove, Applicant submits that the application is now in

condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that are required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul Teng", is written over a horizontal line.

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